

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

**MARGARET HERZOG, Individually and:**

**as the personal representative of the :  
Estate of THOMAS HERZOG, deceased :**

**Plaintiff :**

**v.** :

**NO. 1:16-cv-01139-WCG**

**UNION PACIFIC RAILROAD  
COMPANY :**

**Defendant :**

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**STIPULATION OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE**

Plaintiff and Defendant, having conferred, do hereby dismiss the instant action without prejudice, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, and with each side to bear their own costs.

Respectfully submitted,

/s/ David Damico  
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Respectfully submitted,

/s/ Shawn M. Sassaman  
\_\_\_\_\_  
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Ph: 610-941-4444  
Attorney for Plaintiff

**APPROVED BY THE COURT:**

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J.

## **CERTIFICATE OF SERVICE**

I, Shawn M. Sassaman, attorney for the Plaintiff, do hereby certify that the foregoing Stipulation of Voluntary Dismissal Without Prejudice was served on all parties of record via the Court's electronic distribution service on the date noted below.

October 11, 2016

/s/ Shawn M. Sassaman  
SHAWN M. SASSAMAN